

**REMARKS**

Applicants thank the Examiner for finding claims 5-10 to be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Applicants respectfully request reconsideration of the above referenced patent application in view of the amendments and remarks set forth herein, and respectfully request that the Examiner withdraw all rejections. Claims 1, 13, 15, 23 and 26 have been amended. Claim 5 has been canceled without prejudice. No claims have been added. Thus, claims 1, 2, 6-15 and 17-27 are pending.

**Claim Objections**

The Office Action objects to claim 13 for alleged informalities. Applicants traverse the above rejection for at least the following reasons.

In the above objection, the Office Action suggests that claim 13 should recite "...converting dispersed content from a frequency domain to a time domain...". Applicants amend claim 13 herein according to the suggestion of the Office Action. Applicants respectfully submit that the claim amendments cure any alleged informalities. Therefore, Applicants respectfully request that this objection be withdrawn.

**35 U.S.C. §102 Rejections**

**35 U.S.C. §102(e) Rejection over Kadous**

The Office Action rejects claims 1, 2, 11-15 and 17-22 under 35 U.S.C. §102(e) as allegedly being anticipated by Kadous et al., USPN 7,167,684 (hereinafter "*Kadous*"). For at least the following reasons, Applicants traverse the above rejection.

In the *Allowable Subject Matter* section, the Office Action finds claim 5 to be allowable if rewritten in independent form including all of the limitations of the base claim 1 and any intervening claims. The only difference between the currently rejected claim 1 and the otherwise allowable claim 5 is claim 5 recites that a cyclic dispersion is a function of delay spread. Therefore, Applicants understand the Office Action as

admitting that *Kadous* fails to disclose a cyclic dispersion which is a function of delay spread.

Each of independent claims 1 and 15 is amended herein to variously recite that a cyclic dispersion is a function of delay spread. Accordingly, current independent claims 1 and 15 each include a limitation which is not disclosed by *Kadous*. For at least the foregoing reasons, *Kadous* fails to anticipate each of current independent claims 1 and 15, and any claims depending therefrom. Therefore, Applicants request that the above 35 U.S.C. §102(e) rejection of claims 1, 2, 11-15, 17-22 based on *Kadous* be withdrawn.

### **35 U.S.C. §103(a) Rejections**

#### **35 U.S.C. §103(a) Rejection over Kadous**

The Office Action rejects claims 23-27 under 35 U.S.C. §103(a) as allegedly being obvious in light of *Kadous*. For at least the following reasons, Applicants traverse the above rejection.

As discussed above, the Office Action seems to admit that *Kadous* fails to disclose a cyclic dispersion which is a function of delay spread. Independent claim 23 is amended herein to recite a cyclic dispersion which is a function of delay spread. Accordingly, current independent claim 23 includes a limitation which is not disclosed by *Kadous*.

For at least the foregoing reasons, *Kadous* fails to anticipate current independent claim 23, and any claims depending therefrom. For at least the foregoing reasons, Applicants request that the above 35 U.S.C. §103(a) rejection of claims 23-27 based on *Kadous* be withdrawn.

### **Allowable Subject Matter**

In the *Allowable Subject Matter* section, the Office Action finds claims 5-10 to be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Claim 5 is canceled herein, and independent claim 1 is

amended to recite the combination of limitations of canceled claim 5 which the Office Action states would be allowable in independent form. Applicants submit that claims 6-10 are allowable at least insofar as they depend from an amended independent claim 1 which is allowable.

CONCLUSION

For at least the foregoing reasons, Applicants submit that the objections and rejections have been overcome. Therefore, claims 1, 2, 6-15 and 17-27 are in condition for allowance and such action is earnestly solicited. The Examiner is respectfully requested to contact the undersigned by telephone if such contact would further the examination of the present application. Please charge any shortages and credit any overcharges to our Deposit Account number 02-2666.

Respectfully submitted,  
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